

## What You Need to Know:

# Water Quality Permits for Large Animal Feeding Operations (AFOs/CAFOs) in North Dakota

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### ■ Why Does Water Quality Matter?

Clean water is essential for our families, environment and livestock operations. In North Dakota, animal feeding operations (AFO) and confined animal feeding operations (CAFO) — such as feedlots for beef cattle, poultry, swine and dairy — are growing in size and number. While these operations help feed the world, they also produce large amounts of manure and wastewater, which, if not managed correctly, can harm our rivers, lakes and groundwater.

The good news is that, when handled properly, manure and wastewater can actually benefit cropland as natural fertilizer. But to protect our water, permits and proper planning are required before large AFOs/CAFOs can operate.

### ■ Who Regulates Water Permits?

In North Dakota, the Division of Water Quality, within the North Dakota Department of Environmental Quality (DEQ), oversees water-related permits for AFOs and CAFOs. These rules also align with federal guidelines set by the U.S. Environmental Protection Agency (EPA).

### ■ What is an Animal Feeding Operation (AFO)?

An operation is considered an AFO if both is true:

1. Animals are kept or fed for 45 days or more in a 12-month period.
2. The area does not grow crops or grass during the normal growing season.

### ■ Do I Need a Permit for My Animal Feeding Operation (AFO)?

Whether or not you need a permit depends on the following:

- How many animals you have
- Where your facility is located
- How your livestock is housed or managed

### ■ Do I Need a Permit Based on Size?


#### **Large CAFOs (Always need a permit):**

- 1,000+ beef cattle
- 2,500+ swine (>55 lbs)
- 30,000+ laying hens (with liquid systems)
- 125,000+ chickens (nonlaying, dry systems)
- Other similar thresholds for dairy, poultry, horses and ducks

These operations must get a North Dakota State Permit. If an operation discharges wastewater, it may need a North Dakota Pollutant Discharge Elimination System (NDPDES) permit.

#### **Medium AFOs (May need a permit):**

- 300-999 beef cattle
- 750-2,499 swine (>55 lbs)
- 9,000-29,999 laying hens or broilers (liquid systems)
- 25,000-81,999 layer hens (dry systems)

 A permit is required if the operation pollutes or could pollute water and is within ¼ mile of surface water, such as a stream or pond.

#### **Small AFOs (May need a permit if polluting):**

- Fewer animals than medium AFOs

A permit is required only if the DEQ determines the operation is polluting or likely to pollute surface or groundwater.

#### **Wintering Operations**

Even seasonal operations may need a permit if they meet the definition of an AFO and are causing or likely to cause pollution.

Getting permitted protects our water, supports responsible livestock production and helps ensure the long-term success of your operation.

Use this fact sheet to check if your operation needs a permit: [Do I Need a Permit?](#)

### ■ Do I Need a Local Zoning Permit?

In addition to water permits, you'll also need local zoning approval to build and operate an AFO or CAFO. Zoning rules vary by county and township.

See your local zoning requirements here: [North Dakota County Zoning Laws](#)

For complete resources, visit [NDDEQ AFO/CAFO Permit Homepage](#)

### ■ Need Help?

Contact: Marty Harolds, Director  
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